IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6789 OF 2005

Machindra Dattaram Jagkar ...Applicant
Vs.
The State of Maharashtra ...Respondent

Shri S.M. Kazi i/by Shri. A. H. Dalwai & K.J. Agawekar for the Applicant.
Shri A.S. Gadkari, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : OCTOBER 25, 2005.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P. for the State. The allegation against the Applicant is that he assaulted his own real brother in the house initially by fist blows and kick blows and thereafter he took the deceased to the courtyard and assaulted him by a wooden log. The F.I.R. has been lodged by eye-witness who is real sister of the Applicant. The Post Mortem Notes show that the cause of death is cardio repsiratory failure due to head injury. It further records that there is internal haemorrhage in the occipital region of the brain. There is enough material on record to show the complicity of the Applicant in the offence. Hence, no case is made out to enlarge the Applicant on Bail. Accordingly, Application is rejected.

2. The trial is expedited and will be concluded by treating it as High Court expedited case.

JUDGE